

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARTIN O. LONG,

\*

Plaintiff,

\*

vs.

\*

Case Number: 2:06cv816-MHT

STATE FARM FIRE AND  
CASUALTY COMPANY,

\*

\*

Defendant.

**DEFENDANT STATE FARM'S MOTION FOR A SUMMARY JUDGMENT**

Pursuant to Rule 56, Fed. R. Civ. P., Defendant State Farm Fire and Casualty Company ("State Farm") moves this Honorable Court for a summary judgment with respect to all of Plaintiff's claims. As grounds for this motion, State Farm shows that there is no genuine issue of material fact with respect to those claims and that State Farm is therefore entitled to a judgment as a matter of law. As further grounds in support of this motion, State Farm incorporates by reference its Brief in Support of its Motion for a Summary Judgment, its Notice of Filing, and the declarations and materials submitted therewith.

Respectfully submitted,

**s/ James B. Newman**

JAMES B. NEWMAN (NEWMJ8049)

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

F. Tucker Burge  
Burge & Burge  
2001 Park Place North, Suite 850  
Birmingham, Alabama 35203

this 16<sup>th</sup> day of March, 2007.

**s/James B. Newman**  
OF COUNSEL